

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,)	Criminal No. 1:12CR110
)	
vs.)	Judge Patricia A. Gaughan
)	
Meredith Lowell,)	<u>ORDER</u>
)	

Upon motion to this Court by the United States Attorney for the Northern District of Ohio, Steven M. Dettelbach, by and through Duncan T. Brown, Assistant United States Attorney, the Court hereby makes the following findings and GRANTS the Government's Motion for Leave to Dismiss.

The Court finds that on April 12, 2012, Bureau of Prisons Forensic Psychologist Leslie Powers, Ph.D. filed a report pursuant to 18 U.S.C. §4241(b) with this Court assessing that the defendant, Meredith Lowell, is incompetent to proceed to adjudication of this case based on mental disease or defect. Based on this report, pursuant to 18 U.S.C. §4241(d), this Court ordered an examination to determine if the defendant could be restored to competency. On November 7, 2012, Forensic Psychologist Leslie Powers, Ph.D., filed a report with this Court finding that the defendant was unlikely to be restored to competency based on her mental disease or defect. Based upon these two reports, the Court adjudicated the defendant incompetent based on mental disease or defect and ordered her examined for dangerousness pursuant to 18 U.S.C. §§4246 and 4248. On January 11, 2013, Leslie Powers, Forensic Psychologist, issued a report stating that the defendant remained incompetent due to mental disease or defect, but did not pose a danger to herself, the community, or property.

However, this Court finds that the adjudication of having a mental defect or disease that makes her incompetent to stand trial in the instant case, places her within the category of persons

prohibited by 18 U.S.C. §922(g)(4) from possessing firearms as defined in 18 U.S.C. §921.

Accordingly, defense counsel is hereby directed to deliver a copy of this Motion and Order to the members of the defendant's immediate family at their place of residence.

The Government's Motion for Leave to Dismiss is hereby GRANTED.

Date: 1/25/13

/s/Patricia A. Gaughan
PATRICIA A. GAUGHAN
U.S. DISTRICT COURT JUDGE